

CITY OF LINCOLN/LANCASTER COUNTY  
**CONTRACT AWARD NOTIFICATION**  
**SPECIFICATION NO.04-279**  
**ANNUAL REQUIREMENTS FOR STARTRAN BROKERAGE**  
**SERVICE (ADDTL SERVICES)**

**DATE:** December 6,2004

**CONTRACT PERIOD:** Dec.1,2004 thru Nov. 30, 2005

**CONTRACTOR:** Servant Cab Co.  
320 W. P Street  
Lincoln NE 68528

**PURCHASING DIVISION**  
**K-STREET COMPLEX**  
**440 SOUTH 8<sup>TH</sup> STREET**  
**LINCOLN, NEBRASKA 68508**  
**(402) 441-7410**

**Company Representative:** Kirby Young  
**Telephone No.:** 402-477-4111  
**FAX No.:**  
**E-Mail Address:**

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THE CITY/COUNTY'S SPECIFICATIONS AND THE CONTRACTOR'S ACCEPTED PROPOSAL AND PRICING SCHEDULES, NOW ON FILE IN THE OFFICE OF THE CITY CLERK AND/OR THE COUNTY CLERK, ARE ADOPTED BY REFERENCE AND ARE AS FULLY A PART OF THIS CONTRACT FOR THE ABOVE-NAMED COMMODITY AS IF REPEATED VERBATIM HEREIN.

**Per Specifications 04-279 dated 11/9/04**

NO ACTION NEED BE TAKEN BY THE CONTRACTOR AT THIS TIME. ORDERS FOR MATERIAL WILL BE MADE AS NEEDED BY THE VARIOUS CITY/COUNTY DEPARTMENTS.

DEPARTMENTS REQUIRING CATALOGS AND/OR PRICING SCHEDULES SHALL NOTIFY THE CONTRACTOR DIRECTLY.

f/sharpurch/awardnotification/con04279

E.O. # 71858  
Dated: 11/30/04

COMPANY NAME SERVANT CAB CO

**PROPOSAL  
SPECIFICATION NO. 04-279**

**BID OPENING TIME: 12:00 NOON  
DATE: November 10, 2004**

*ORIGINAL*

The undersigned bidder, having full knowledge of the requirements of the City of Lincoln and County of Lancaster for the below listed items and the contract documents (which include Notice to Bidders, Instructions to Bidders, this Proposal, Specifications, Contract, and any and all addenda) and all other conditions of the Proposal, agrees to sell to the City and the County the Below listed items for the performance of this Specification, complete in every respect, in strict accordance with the contract documents at and for unit prices listed below.

**THE REQUIREMENTS FOR:  
STARTRAN BROKERAGE SERVICE  
(ADDITIONAL SERVICES)**

Bidder's Note: StarTran reserves the right to award split contracts for the Brokerage Service.

**BIDDING SCHEDULE  
StarTran Brokerage Service  
(Additional Services)**

**History of StarTran Brokerage Service**

Item 1.	FY 01-02	FY 02-03	FY 03-2004 (ending Aug 2004)
Total Passengers	22,962	18,305	16,489
Total Miles	114,587	94,203	86,331
Avg. Trip Length Miles	4.99	5.15	5.23
Avg. No. of Service Days Per Year	256	256	256

As detailed in Appendix A (by the Contractor) estimate the total cost for the program for one year based on 16,000 trips. Billings will be made on a per trip basis. (No guarantees to the exact number of trips and or trip lengths).

*Two-Hundred & Thirty-Seven thousand, Eight hundred*  
Write out numbers in full *Eighty-Eight.* \$ 237,888.00

## Appendix A

All trips including all trips requiring a wheelchair van are at the same rates.

\*16,000 trips x \$14.87 = \$237,888.00.

\* This is our proposed rate before the PSC (see attached schedule) for a 5.23 mile trip. This rate also includes a 10% discount. The 10% discount for this bid is given on a monthly basis based upon Servant Cab receiving a minimum of 50% of all trips given out in this program. Each month stands alone and will either receive all of the discount or none for the given month of billing.

\*\* If the proposed rates before the PSC are not approved the existing rates will apply.  
(See attached schedule)

16,000 trips x \$ 14.18 = \$226,880.00. ( also based on 10% discount for 50% of all trips)

\*\*\* All of the above quotes are based on the 5.23 mile avg. trip. However, each trip will be charged the meter rate based on the actual mileage. This will result in some trips costing more than the avg. and some less.

\*\*\*\* Multiple riders or rider pickups are charged the meter rate ONLY. No additional charge per rider, per pickup on same trip or drop off on same trip.

Following are the current and proposed rates.

<u>Current Rate</u>	<u>Proposed Rate</u>
First 1/12 mile \$1.70	First 1/10 mile \$2.40
Each additional 1/12 mile thereafter – 20 cents	Each 1/10 mile thereafter – 25 cents
Waiting time – 60 cents per minute	Waiting time – 60 cents per minute
Out of town rate – \$2.15 per mile	Out of town rate – \$2.40 per mile
Surcharge for worker's comp insurance – .20 per trip	Delete surcharge for worker's comp (included in rates)
Fuel surcharge – 15 cents at \$1.30 per gallon rising by 5 cents for each 10 cent per gallon increase thereafter	No fuel surcharge unless gasoline reaches \$2.30 per gallon, at which time a 10 cent surcharge would be put in place, and for every 20 cent per gallon increase in the price of gasoline, an additional 10 cent surcharge would apply

The proposed rates would have the following impact on the following sample trips.

<u>Current Rate</u>	<u>Proposed Rate</u>
With surcharges at 70 cents per trip	
1 mile \$ 4.55	\$ 4.65
2 miles 6.95	7.15
3 miles 9.35	9.65
4 miles 11.75	12.15
4.5 miles 12.95	13.40
(average trip)	
5 miles 15.15	15.90
6 miles 17.55	18.40
7 miles 19.95	20.90
8 miles 22.35	23.40

## APPENDIX B

### REQUIREMENTS FOR REPORTING OF INFORMATION PURSUANT TO SECTION 15 OF THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED

- A. Revenue vehicle inventory classifications.
- B. Total number vehicles operated in maximum service.
- C. Total number vehicles available for maximum service.
- D. Total vehicle hours and miles.(odometer)
- E. Total vehicle revenue miles.(odometer)
- F. Total one-way passenger trips.
- G. Total passenger miles(odometer plus second/third passenger miles per trip)

## **APPENDIX C**

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**SEE NEXT PAGE**

BROKERAGE SERVICE

DATE 8/13/04

☐ Yes ☐ No Standing Appointment

Odometer Finish \_\_\_\_\_

Start \_\_\_\_\_

TOTAL \_\_\_\_\_

805 (AM) PM Pick-up Time

2610 5.60 - 2

First pick-up address

555 5.10

Last drop-off address

ID#	ESCORT	METHOD OF PAYMENT		SIGNATURE
<u>2829</u> (1)	<input type="checkbox"/> YES	<input type="checkbox"/> CASH	<input type="checkbox"/> PUNCH	
	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> PASS <u>1602</u>	<input type="checkbox"/> TOKEN	
(2)	<input type="checkbox"/> YES	<input type="checkbox"/> CASH	<input type="checkbox"/> PUNCH	
	<input type="checkbox"/> NO	<input type="checkbox"/> PASS	<input type="checkbox"/> TOKEN	
(3)	<input type="checkbox"/> YES	<input type="checkbox"/> CASH	<input type="checkbox"/> PUNCH	
	<input type="checkbox"/> NO	<input type="checkbox"/> PASS	<input type="checkbox"/> TOKEN	
(4)	<input type="checkbox"/> YES	<input type="checkbox"/> CASH	<input type="checkbox"/> PUNCH	
	<input type="checkbox"/> NO	<input type="checkbox"/> PASS	<input type="checkbox"/> TOKEN	

Total Mileage \_\_\_\_\_

Total Time \_\_\_\_\_

NOTE TO RIDER: DO NOT SIGN THIS FORM UNLESS IT IS  
COMPLETELY AND ACCURATELY FILLED OUT

\$ 1350 TOTAL METER CHARGE

\$ \_\_\_\_\_ TOTAL CASH PAID BY RIDER(S)

\$ 1350 UNPAID BALANCE

I ATTEST THAT THE ABOVE INFORMATION IS TRUE AND  
CORRECT IN ALL RESPECTS.

DRIVER:

**APPENDIX D**

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**SEE NEXT PAGE**



**CUSTOMER SERVICE FORM**

☐ COMPLAINT

☐ SUGGESTION

☐ COMPLIMENT

IDENTITY OF CUSTOMER OR OTHER PERSON				IDENTITY OF VEHICLE		
LAST NAME		FIRST NAME		DATE OF INCIDENT		
ADDRESS				ROUTE NO.	RUN NO.	BUS NO.
CITY	STATE	ZIP CODE	TELEPHONE NUMBER	<input type="checkbox"/> INBOUND	<input type="checkbox"/> OUTBOUND	
DATE OF REPORT	TIME OF REPORT	RECEIVED BY		LOCATION		
BY: <input type="checkbox"/> LETTER <input type="checkbox"/> TELEPHONE <input type="checkbox"/> IN PERSON				OPERATOR (If Appropriate)		

**NATURE OF INCIDENT:**

- ☐ AC/Heat
- ☐ Accident/Injury
- ☐ Driver Attitude/Conduct
- ☐ Early/Late
- ☐ Equipment
- ☐ Unclean Vehicle

- ☐ Fare Dispute
- ☐ No Show
- ☐ Overcrowding
- ☐ Passed Passengers
- ☐ Scheduling/Routing
- ☐ Other

- ☐ Service Request
- ☐ Stop Signs/Shelters
- ☐ Transfer Dispute
- ☐ Unsafe Operation
- ☐ Drinking, Smoking

**COMMENT:**

Referred To: \_\_\_\_\_

Date: \_\_\_\_\_

**INVESTIGATION:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

**RECORD OF FINAL ACTION:**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Operator Signature (if appropriate) \_\_\_\_\_

Date: \_\_\_\_\_

X

**CERTIFICATION OF LOWER TIER PARTICIPANTS  
REGARDING DEBARMENT, SUSPENSION,  
AND OTHER INELIGIBILITY AND VOLUNTARY EXCLUSION**

The Lower Tier Participant (potential third party contractor, or potential subcontractor under a major third party contract) SERVANT CAB CO. certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, or proposed for debarment in this transaction by any Federal department or agency.

(If the Lower Tier Participant (potential third party contractor, or potential subcontractor under a major third party contract) is unable to certify to any of the statements in this certification, such participant shall attach an explanation to this proposal.)

THE LOWER TIER PARTICIPANT (POTENTIAL THEIR PARTY CONTRACTOR, OR POTENTIAL SUBCONTRACTOR UNDER A MAJOR THIRD PARTY CONTRACT) SERVANT CAB CO. CERTIFIES, OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENT SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ET SEQ. ARE APPLICABLE THERETO.

*[Signature]* MANUEL MORALES  
Signature & Title of Authorized Official 11/19/04

The undersigned chief legal counsel for the \_\_\_\_\_ (entity) hereby certifies that the \_\_\_\_\_ (entity) has authority under State and Local law to comply with the subject assurances and that the certification above has been legally made.

\_\_\_\_\_  
Signature of Applicant's Attorney

Date \_\_\_\_\_

**CONTRACTS \$25,000 TO \$100,000**

**CERTIFICATION OF PRIMARY PARTICIPANT  
REGARDING DEBARMENT, SUSPENSION,  
AND OTHER RESPONSIBILITY MATTERS**

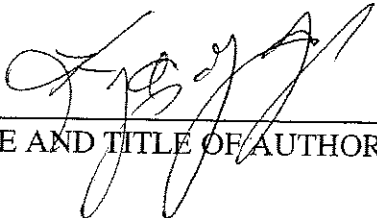
The Primary Participant (potential contractor for a major third party contract), SERANT CAS  
\_\_\_\_\_ certifies to the best of its knowledge and belief, that it and its principals: CE

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency.
2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction: violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (2) of this certification; and
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

(If the primary participant (potential third party contractor) is unable to certify to any of the statements in this certification, the participant shall attach an explanation to this certification.)

**CONTRACTS OVER \$100,000**

THE PRIMARY PARTICIPANT (POTENTIAL CONTRACTOR FOR A MAJOR THIRD PARTY CONTRACT), SERVAIR CAB CO. CERTIFIES OR AFFIRMS THE TRUTHFULNESS AND ACCURACY OF THE CONTENTS OF THE STATEMENTS SUBMITTED ON OR WITH THIS CERTIFICATION AND UNDERSTANDS THAT THE PROVISIONS OF 31 U.S.C. SECTIONS 3801 ED SEQ. ARE APPLICABLE THERETO.

  
SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL MATTHEW MEERER  
11/9/04

The undersigned chief legal counsel for the \_\_\_\_\_ (entity) hereby certifies that the \_\_\_\_\_ has authority under State and Local law to comply with the subject assurances and that the certification above has been legally made.

\_\_\_\_\_  
SIGNATURE OF APPLICANT'S ATTORNEY

Date \_\_\_\_\_

CONTRACTS OVER \$100,000

**CERTIFICATION OF  
RESTRICTIONS ON LOBBYING**

I, K. B. A. Young / MANAGING MEMBER (name and title of official), hereby certify on behalf of SERVANT CARE CO. (name of COMPANY) that:

1. No Federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing, attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment, modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontractors, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of the certification is a prerequisite for making or entering into this transaction imposed certification shall be subjected to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Executed this 9 day of Nov., 2004.

MANAGING MEMBER  
Title of Authorized Official

[Signature]  
Signature of Authorized Official

## CHAPTER V BID PROTESTS

### 1. FTA REVIEW OF PROTESTS

- A. FTA will only review protests regarding the alleged failure of the grantee to have written protest procedures or alleged failure to follow such procedures.
- B. Alleged violations on other grounds are under the jurisdiction of the appropriate State or local administrative or judicial authorities. Alleged violations of a specific Federal requirement that provides an applicable complaint procedure shall be submitted and processed in accordance with that Federal regulation. See e.g., Buy America 49 CFR Part 661 (Section 661.15); Participation by Minority Business Enterprise in Department of Transportation Programs, 49 CFR Section 23.73
- C. FTA will only review protests submitted by an interested party as defined in paragraph 3, below:

### 2. REMEDY

FTA's remedy for a grantee's failure to have written protest procedures or failure to follow such procedure is limited to requiring the grantee to develop such procedures, if necessary, and follow such procedures in reviewing the protest at issue, if the grantee desires FTA financial participation in the contract in question. In instances where a grantee has awarded to another bidder or offeror prior to FTA's decision on the protest, FTA may refuse to participate in funding the contract.

### 3. DEFINITIONS

For the purpose of this Chapter, the following definitions apply:

- A. "Days" refers to working days of the Federal Government.
- B. "File" or "Submit" refers to the date of receipt by FTA.
- C. "Interested Party" means an actual or prospective bidder or offeror whose direct economic interest would be affected by the award of the contract or by failure to award the contract.
- D. "Bid" includes the term "offer" or "proposal" as used in the context of negotiated procurements.

4. TIME FOR FILING

- A. Protesters shall file a protest with FTA not later than five days after a final decision is rendered under the grantee's protest procedure. In instances where the protester alleges that the grantee failed to make a final determination on the protest, protesters shall file a protest with FTA not later than five days after the protester knew or should have known of the grantee's failure to render a final determination on the protest.
- B. Grantees shall not award a contract for five days following its decision on a bid protest except in accordance with the provisions and limitations of subparagraph H. After five days, the grantee shall confirm with FTA that FTA has not received a protest on the contract in question.

5. SUBMISSION OF PROTEST TO FTA

- C. Protests should be filed with the appropriate FTA Regional Office with a concurrent copy to the grantee.
- D. The protest filed with FTA shall:
  - 1) Include the name and address of the protester.
  - 2) Identify the grantee, project number, and the number of the contract solicitation.
  - 3) Contain a statement of the grounds for protest and any supporting documentation. This should detail the alleged failure to follow protest procedures or the alleged failure to have procedures and be fully supported to the extent possible.
  - 4) Include a copy of the local protest filed with the grantee and a copy of the grantee's decision, if any.

6. GRANTEE RESPONSE

- A. FTA shall notify the grantee in a timely manner of the receipt of a protest. FTA shall instruct the grantee to notify the contractor of the protest if award has been made or, if no award has been made, to notify all interested parties. The grantee shall *instruct* all who receive such notice that they may communicate further directly with FTA.
- B. The grantee shall submit the following information not later than ten days after receipt of notification by FTA of the protest:
  - 1) A copy of the grantee's protest procedures;
  - 2) A description of the process following concerning the protester's protest; and
  - 3) any supporting documentation.
- C. The grantee shall provide the protester with a copy of the above submission.

7. PROTESTER COMMENTS

The protester must submit any comments on the grantee's submission not later than ten days after the protester's receipt of the grantee's submission.

8. WITHHOLDING OF AWARD

When a protest has been timely filed with the grantee before the award, the grantee shall not make an award prior to five days after the resolution of the protest, or if a protest has been filed with FTA, during the pendency of the protest, unless the grantee determines that:

- A. The items to be procured are urgently required;
- B. Delivery or performance will be unduly delayed by failure to make the award promptly; or
- C. Failure to make prompt award will otherwise cause undue harm to the grantee or the Federal Government

In the event that the grantee determines that the award is to be made during the five day period following the local protest decision or the pendency of a protest, the grantee shall notify FTA prior to making such award. FTA will not review the sufficiency of the grantee's determination to award during the pendency of a protest prior to FTA's protest decision. FTA reserves the right not to participate in the funding of any contract awarded during the pendency of a protest.

9. FTA ACTION

Upon receipt of the submissions, FTA will either request further information or a conference among the parties, or will render a decision on the protest.



The undersigned signatory for the bidder represents and warrants that he has full and complete authority to submit this proposal to the City, and to enter into a contract if this proposal is accepted.

**RETURN 2 COMPLETE COPIES OF PROPOSAL AND SUPPORTING MATERIAL.**

**MARK OUTSIDE OF BID ENVELOPE: SEALED BID FOR SPEC. 04-279**

SERVANT CAB CO.  
COMPANY NAME

320 W. P St.  
STREET ADDRESS or P.O. BOX

Lincoln, NE. 68528  
CITY, STATE ZIP CODE

402-477-4111  
TELEPHONE

03-0407920  
EMPLOYER'S FEDERAL I.D. NO.  
OR SOCIAL SECURITY NUMBER

MONTHLY OR 1<sup>ST</sup> 15<sup>TH</sup>  
TERMS OF PAYMENT

[Signature]  
BY (Signature)

KIRBY A. YOUNG  
(Print Name)

MANAGING MEMBER  
(Title)

11-9-04  
(Date)

0 HAND Delivered  
ESTIMATED DELIVERY DAYS

BIDS MAY BE INSPECTED IN THE PURCHASING DIVISION OFFICES DURING NORMAL BUSINESS HOURS, **AFTER** TABULATION BY THE PURCHASING AGENT. IF YOU DESIRE A COPY OF THE BID TABULATION TO BE MAILED TO YOU, YOU MUST ENCLOSE SELF-ADDRESSED STAMPED ENVELOPE WITH YOUR BIDDING DOCUMENTS.